



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Gregory L. Heacock
Application No. : 10/677,645
Filed : October 2, 2003
For : SYSTEM AND METHOD FOR EXCITATION OF
PHOTOREACTIVE COMPOUNDS IN EYE TISSUE

Docket No. : 59785-6
Date : July 29, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO UNDER 37 C.F.R. § 1.47(a)

Commissioner for Patents:

Under 37 C.F.R. § 1.47(a), if a joint inventor refuses to join or cannot be reached after diligent effort, the application may be made by the remaining joint inventors on behalf of themselves and the non-signing inventor.

Applicant submits herewith a response to the Notice to File Missing Parts dated January 2, 2004. The response includes an inventor declaration signed by three of the four named inventors. Despite Applicant's diligent effort, they were unable to obtain inventor Huston's signature on the inventor declaration. The enclosed declaration by Arcelie Grapes in support of this petition, more fully describes Applicant's effort in this regard.

The last known address of the non-signing inventor is:

08/03/2004 BSAYASI1 00000001 040258 10677645

06 FC:1460

130.00 DA

Darrin Huston
37330 246th Avenue Southeast
Enumclaw, WA 98022

In view of the above, Applicant hereby petitions for this application to be accorded status under 37 C.F.R. § 1.47(a). The petition fee as set forth in 37 C.F.R. §

1.17(h), is enclosed herewith. Favorable consideration of this petition is hereby requested.

Respectfully submitted,
Jordan K. Weisman et al.
Davis Wright Tremaine LLP



Brian L. Johnson
Registration No. 40,033

BLJ:ml

Enclosure:

Declaration of Arcelie Grapes

2600 Century Square
1501 Fourth Avenue
Seattle, WA 98101-1688
Phone: (206) 622-3150
Facsimile: (206) 628-7699